IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.6432 OF 2005

Shri Sant Damaji Sahakari Sakhar Karkhana Ltd. ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.R.V. Govilkar for petitioner.

Mr.M.I.Sethna, senior counsel with P.S.Jetly for respondents.

CORAM : V.C. DAGA AND J.P.DEVADHAR, JJ.

DATED : 28TH SEPTEMBER, 2005.

P.C. :-

1. Rule, returnable forthwith.

2. Mr.M.I.Sethna, senior counsel waives service for the respondents.

3. Heard finally with the consent of the parties.

4. We have examined the reasons given in the Misc.application for condonation of delay filed before

the Tribunal, particularly paragraph Nos.2 & 3 (page Nos.114 to 116 of the petition) and are satisfied that the reasons given were sufficient to condone the delay. Thus, looking to the contentions between the parties, the delay is condoned. The Tribunal is directed to hear and decide the appeal on its own merits as expeditiously as possible.

5. All rival contentions are kept open.

8. Rule is made absolute in terms of this order with no order as to costs.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)